

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

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CHARLES E. McDONALD,

Case No. 2:19-cv-00192-RFB-EJY

Plaintiff,

ORDER

V.

D. PRATER, *et al.*,

Defendants.

10 The Court has been informed the Plaintiff is no longer incarcerated.

Under LR IA 3-1, an attorney or pro se party must immediately file with the Court written notification of their email address, telephone number, as well as any change of mailing address. The notification must include proof of service on each opposing party or the party's attorney. Failure to comply with this rule may result in the dismissal of the action, entry of default judgment, or other sanctions as deemed appropriate by the Court.

To allow Plaintiff thirty (30) days in which to comply with this order, the Court hereby vacates the Inmate Early Mediation (“IEM”) set for Friday, November 6, 2020, at 11:15 a.m.

18 **IT IS HEREBY ORDERED** that Plaintiff Charles E. McDonald must file with the Court a
19 written notification of his email address and telephone number on or before November 25, 2020.

IT IS FURTHER ORDERED that the IEM scheduled for November 6, 2020, at 11:15 a.m., is vacated. The IEM will be rescheduled in due course and the stay currently in place will remain operative through the rescheduled IEM. The Office of the Attorney General must file the report form attached to this Order regarding the result of the rescheduled mediation three days after the mediation is held.

25 DATED this 27th day of October, 2020.

Elayna J. Youschah
ELAYNA J. YOUSCHAH
UNITED STATES MAGISTRATE JUDGE

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

* * *

CHARLES E. McDONALD,

Case No. 2:19-cv-00192-RFB-EJY

Plaintiff,

Attorney General's Report of Results of 90-Day Stay

D. PRATER *et al.*

Defendants

NOTE: This form must be filed only by the Office of the Attorney General. The inmate plaintiff MUST NOT file this form.

On October 26, 2020, the Court ordered the Office of the Attorney General of the State of Nevada to file its 90-day report three-days after the rescheduled mediation. By filing this form, the Office of the Attorney General hereby complies with that order.

REPORT FORM

[Identify which of the following two situations (identified in bold type) describes the case, and follow the instructions corresponding to the proper statement.]

Situation One: Mediated Case: The case was assigned to mediation by a court-appointed mediator during the 90-day stay. [If this statement is accurate, check ONE of the six statements below and fill in any additional information as required, then proceed to the signature block.]

- ____ A mediation session with a court-appointed mediator was held on [enter date], and as of this date, the parties have reached a settlement (*even if paperwork to memorialize the settlement remains to be completed*). (*If this box is checked, the parties are on notice that they must SEPARATELY file either a contemporaneous stipulation of dismissal or a motion requesting that the Court continue the stay in the case until a specified date upon which they will file a stipulation of dismissal.*)

____ A mediation session with a court-appointed mediator was held on [enter date], and as of this date, the parties have not reached a settlement. The Office of the Attorney General therefore informs the Court of its intent to proceed with this action.

____ No mediation session with a court-appointed mediator was held during the 90-day stay, but the parties have nevertheless settled the case. (*If this box is checked, the parties are on notice that they must SEPARATELY file a contemporaneous stipulation of dismissal or a motion requesting that the Court continue the stay in this case until a specified date upon which they will file a stipulation of dismissal.*)

- ____ No mediation session with a court-appointed mediator was held during the 90-day stay, but one is currently scheduled for [enter date].
 - ____ No mediation session with a court-appointed mediator was held during the 90-day stay, and as of this date, no date certain has been scheduled for such a session.
 - ____ None of the above five statements describes the status of this case. Contemporaneously with the filing of this report, the Office of the Attorney General of the State of Nevada is filing a separate document detailing the status of this case.

* * * *

Situation Two: Informal Settlement Discussions Case: The case was NOT assigned to mediation with a court-appointed mediator during the 90-day stay; rather, the parties were encouraged to engage in informal settlement negotiations. [If this statement is accurate, check ONE of the four statements below and fill in any additional information as required, then proceed to the signature block.]

- The parties engaged in settlement discussions and as of this date, the parties have reached a settlement (*even if the paperwork to memorialize the settlement remains to be completed*). (*If this box is checked, the parties are on notice that they must SEPARATELY file either a contemporaneous stipulation of dismissal or a motion requesting that the Court continue the stay in this case until a specified date upon which they will file a stipulation of dismissal.*)
 - The parties engaged in settlement discussions and as of this date, the parties have not reached a settlement. The Office of the Attorney General therefore informs the Court of its intent to proceed with this action.
 - The parties have not engaged in settlement discussions and as of this date, the parties have not reached a settlement. The Office of the Attorney General therefore informs the Court of its intent to proceed with this action.
 - None of the above three statements fully describes the status of this case. Contemporaneously with the filing of this report, the Office of the Attorney General of the State of Nevada is filing a separate document detailing the status of this case.

Submitted this _____ day of _____, ____ by:

Attorney Name: _____
Print

Signature

Address: _____

Phone: _____